

Notice of Allowability

Application No.

10/608,278

Examiner

THANHNGA B. TRUONG

Applicant(s)

SELBERG ET AL.

Art Unit

2438

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/09/10.
2. ☒ The allowed claim(s) is/are 68-72 and 76-108.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>2/9/10</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

/Thanhnga B. Truong/
Primary Examiner, Art Unit 2438

DETAILED ACTION

1. Applicant's amendment filed on December 29, 2009 has been entered. Claims 68-109 are pending. Claims 73-75 are cancelled by the applicant.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given by Mr. Christopher A. Wiklof on February 9, 2010. The applicant has agreed and authorized examiner to amend claim 68 and cancel claim 109.

CLAIMS:

3. Please cancel claim 109.
4. Please replace claim 68 as follows:

Claim 68. (Currently Amended) A method for controlling access to digital content, the method comprising:

storing with a first computing device at least one license for authorizing use of the content, the at least one license being defined from a rule that is based at least in part on at least one of i) at least one user attribute and ii) an attribute associated with the content item;

receiving with a second computing device a request to use the content;

determining with the second computing device whether or not the at least one license authorizes the requested use of the content comprising:

comparing an entitlement requirement associated with the at least one license against at least one of:

an attribute of a user who has made the request; and

an attribute associated with the content item; and

evaluating at least one Boolean expression embodied by the rule;

responsive to said determination, authorizing the requested use of the content if the at least one license authorizes the requested use; and providing with a third computing device an option to modify the at least one user attribute to qualify for a license, responsive to the determining finding that the at least one license authorizes the requested use.

Allowable Subject Matter

5. Claims 68-72 and 76-108 are allowed. The following is an examiner's statement of reasons for allowance: the prior art does not disclose storing with a first computing device at least one license for authorizing use of the content, the at least one license being defined from a rule that is based at least in part on at least one of i) at least one user attribute and ii) an attribute associated with the content item; receiving with a second computing device a request to use the content; determining with the second computing device whether or not the at least one license authorizes the requested use of the content comprising: comparing an entitlement requirement associated with the at least one license against at least one of: an attribute of a user who has made the request; and an attribute associated with the content item; and evaluating at least one Boolean expression embodied by the rule; responsive to said determination, authorizing the requested use of the content if the at least one license authorizes the requested use; and providing with a third computing device an option to modify the at least one user attribute to qualify for a license, responsive to the determining finding that the at least one license authorizes the requested use, as set forth in claim 68.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 571-272-3858.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Taghi Arani can be reached on 571-272-3787. The central fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

/Thanhnga B. Truong/

Primary Examiner, Art Unit 2438

TBT

February 15, 2010